

MEETING SUMMARY
WATER QUALITY ADVISORY GROUP
January 14, 2002

Members Attending

William Anderson, agricultural community (1-1)
Vince Berg, business community (1-1)
John Buric, agricultural community (1-1)
Chris Choppin, business community (1-1)
Doug Holy, environmental community, **Vice-chair** (1-1)
Robert Johnson, scientific/academic community (1-1)
John Kuriawa, environmental community (1-1)
Lynn Mayo, scientific/academic community (1-1)
Chris Namovicz, public-at-large (1-1)
Ben Nicholson, scientific/academic community (1-1)
Shobhana Sharma, business community, **Chair** (1-1)
Diane S. Shea, public-at-large (1-1)
Helene Smith, environmental community (1-1)

Public Agency Reps

Dr. Mohammad Habibian, public agency, WSSC (10-11)
Cameron Wiegand, public agency, DEP (10-11)
Jeff Zyontz, public agency, M-NCPPC (6-11)

Members Absent

Todd Greenstone, agricultural community (0-1)
Jeff Longsworth, public-at-large (0-1)

Others Attending

Rick Brush, DPS
Boyd Church, DEP
Diane M. Davis, DEP
Doug Redmond, M-NCPPC
Dave Rotolone, DEP

Welcome & Discussion/Approval of Agenda & Previous Month's Summary

The Chair opened the meeting on time by asking for changes/corrections to the previous month's summary and current agenda. Due to the absence of an agriculture representative, Mr. Greenstone, the Chair recommended postponing the second agenda item "Water Quality Issues Related to County Master Planning" until another month. Ms. Sharma also requested re-ordering the topics to accommodate a speaker: illegal dumping to go first, followed by outreach and new/continued business. Two additions to the agenda were requested: 1) safety of County drinking water supply; 2) M-NCPPC's response to last month's presentation from nursery owners. With these modifications, Mr. Namovicz moved to approve and Lt. Nicholson seconded, with others in unanimous agreement to make the summary and new agenda official.

Membership Introduction

The Chair told the Group that the environmental vacancy had been filled in the person of Mrs. Helene Smith, and asked for a brief introduction. Mrs. Smith gave a brief summary of her extensive environmental background, including active participation in Friends of Sligo Creek, ANS, AWRS and other groups for years. She looked forward to playing an active role in WQAG and was appreciative for the opportunity to participate.

Illegal Dumping and Enforcement Program

Dave Rotolone, DEP Chief Investigator, distributed hand-outs to accompany his informative power point presentation (see *hand-outs for greater detail, or call Dave at 240-777-7753*). Highlights included:

- Overall mission of the Division of Environmental Policy & Compliance
- Enforcement Programs: 1,300 inspections annually, certified investigators; professional staff
- Try to use education as first means, then utilize written notices of violation, civil or criminal sanctions, then court orders
- Investigators conduct monitoring and sampling at various sites (groundwater sites, depot & landfill inspections, routine surface water sampling, etc.)
- Maintain a proactive inspection program with specialized certification and equipment, and ongoing training and community outreach
- Partner, where possible, with businesses and launched a campaign with auto repair shops distributing a colorful, bilingual binder with pollution prevention and other relevant information for owners/operators
- He reported on a pesticide discharge and the case's outcome (with criminal conviction)
- Described other notable cases (such as concrete discharges) and how they are handled
- Closed by reporting the emerging problem (especially in Bethesda) is illegally dumped cooking grease, with very damaging results to infrastructure and aquatic life.

The Group asked questions to help determine what role they might take in support of DEP's enforcement division. When a member offered to write a letter to the Executive and Council requesting additional funds for DEP's investigative staff/efforts, Mr. Wiegand, DEP, said that the budget for FY 03 had already been submitted and that DEP was not in a position to ask for such an action. An alternative approach discussed involved the possibility of identifying the many avenues through which businesses apply for permits and licenses (including other agencies which issue licenses or permits) – and providing a list of comprehensive environmental regulations and/or requirements when applying for a permit/license. For example, when restaurants apply for licensure within the County, a fact sheet of appropriate requirements and responsibilities (and best management practices) might be included. The Group generally acknowledged that outreach is an important and necessary preemptive tool, but is less frequently funded than demand requires. Ms. Davis mentioned that she would be attending an upcoming state effort on behavior change and would report back about that. The Group closed the topic by planning to bring draft resolution text to the February meeting for fuller discussion. Mr. Kuriawa and Mr. Berg volunteered to work on this. The fundamental action would focus on the licensing application attachment issue, and how/if this might be an effective avenue for DEP to consider.

Outreach

Mr. Kuriawa spoke about the concept of handing out environmental literature (regulations, requirements, best management practices, etc.) at key transactions, such as real estate settlements. The question was posed: would new homeowners be receptive and is this a practical and/or efficient opportunity. The Group discussed this widely and several members felt that buying a home is not an appropriate time, as the participants are focused on the legal and financial aspects of their transaction. They said that it is a difficult time, involving many and complex forms and a large packet – fundamentally eliminating it as a ‘teachable moment’ for dispensing environmental tips or laws. The entire group agreed, via Lt. Nicholson’s expressions, that linking education with outreach and enforcement *could* be opportune, if the appropriate avenue was identified.

School Activities - Mr. Holy reported on his follow through with Poolesville High School: they did *not* pursue a grant with the Chesapeake Bay Trust, as discussed in early Fall 2001. However, they offered and would like to have WQAG members come visit and tour their facility/campus at the Group’s convenience. Several members recognized that this would occur during daytime hours, so it remained optional and open to members with such flexibility. Mr. Holy said he would coordinate a Spring field trip and thought it would be valuable to see a Global Ecology School first hand. More on this topic at future meetings.

News Report on Poor Quality Chlorinated Water in Montgomery County

Lt. Nicholson introduced the topic (listed above) which had appeared in the news recently. It concerned him as the report implicated Montgomery County as having the worst drinking water quality in the USA, due to chlorination breakdown components (THMs or tri-halomethanes). The full report is available on website: www.ewg.org. He distributed to members a copy of one version of the report, and expressed concern about portions which linked drinking water consumption to increased rates of birth defects, miscarriages and cancer. Ms. Shea reported her familiarity with the two groups which issued the report [Environmental Working Group and US PIRG, Public Interest Research Group] as having underlying ‘agendas’ of their own. She felt that this essentially biased and tainted the scientific nature and validity of the report. Dr. Habibian, WSSC, said that he had just come from a meeting on this topic to learn that: the report’s veracity is indeed in question, medical experts testified that birth rates in Montgomery County are lower than the national average, and that there are long and short term consequences to chlorination in water (but it fundamentally saves lives). He emphasized that WSSC continues to meet all regulations related to chlorination and has set a zero risk level, so they keep the levels as low as possible, and they have been routinely monitoring levels since 1974. He announced that the public was invited to attend a presentation by relevant agencies on January 22, 2002.

New & Continued Business

- Agenda Topics - Ms. Davis directed attention towards the list of monthly topics used by WQAG since 1995. She and the Chair had discussed the need to re-visit the list and prioritize it according to current issues and topics introduced by newer members. Ms. Davis and Mr. Wiegand will bring in February a list of time-sensitive (e.g., budget or state legislation issues) issues linked to appropriate months. The Group can then add, delete and re-work the list as desired.

- Nursery - Mr. Zyontz, M-NCPPC, responded to the nursery topic presented in December 2001. He reported that it is M-NCPPC's position that the issues boils down to the following facts: the nursery operators violated their special exception. They were cited by neighbors for heavy traffic, specifically 18-wheel trucks, traveling on residential two-lane roads. Mr. Zyontz maintains that this is a *zoning* issue, **not** a water quality issue, and not really related to imperviousness. The Chair deferred hearing more on the topic at a later date, as the subcommittee had not yet met.
- Encroachment Letter – Mr. Zyontz, M-NCPPC, described the issue as a complicated one, but stated that his agency continues to pursue encroachment violations. He told of his agency's budget cuts which hamper their ability for expanding staff or activity in this area; however, they have and will use GIS where possible. Mr. Wiegand, DEP, was glad that M-NCPPC responded favorably, if not as proactively as DEP had hoped. DEP maintains convinced that encroachment is a very wide-spread problem (affecting stream quality) without sufficient current enforcement.
- Property Boundaries - Mr. Buric knows of a problem with Park Police confronting hunters on private property. He would communicate directly with Mr. Zyontz to provide more details.

Membership & Logistics Update

- Attendance tracking by the Coordinator would begin anew in January and run for 6 months.
- 2002 Calendar was reviewed by members and the November meeting would be deleted and moved to December 2, 2002 (the first Monday). This was unanimous and Ms. Davis would begin to look for a room.

February 11, 2002 Agenda

- Water Quality Issues Related To County Master Plans – Mr. Greenstone & Lt. Nicholson
- Draft Resolution – ways to link distribution of environmental laws/requirements with licensure opportunities - Mr. Berg, Mr. Kuriawa
- Outreach – subgroup
- DEP Budget Status – brief report on budget highlights, cycle, timing – towards helping the Group plan agenda topics.
- Agenda Planning – Group to prioritize Agenda Topics for 2002, by month